

(ORDER LIST: 522 U. S.)

MONDAY, NOVEMBER 17, 1997

**CERTIORARI -- SUMMARY DISPOSITION**

96-8916 SWOFFORD, JAMES R. V. DOBUCKI, WARDEN

The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Seventh Circuit for further consideration in light of *Lindh v. Murphy*, 521 U. S. \_\_\_\_ (1997).

**ORDERS IN PENDING CASES**

M-26 BONNY TREUTELAAR V. WISCONSIN

The motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner is denied.

96-568 ONCALE, JOSEPH V. SUNDOWNER OFFSHORE, ET AL.

The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted to be divided as follows: petitioner - 20 minutes; Solicitor General - 10 minutes.

96-1569 BOGAN, DANIEL, ET AL. V. SCOTT-HARRIS, JANET

The motion of Westboro Baptist Church for leave to file a brief as *amicus curiae* out-of-time is denied.

96- 1578 PHILLIPS, THOMAS, ET AL. V. WASHINGTON LEGAL FDN., ET AL

The motion of respondents for divided argument is denied.

96- 1923 COHEN, EDWARD V. DE LA CRUZ, HILDA, ET AL.

The motion of petitioner Edward Cohen to dispense with printing the joint appendix is granted.

97- 5968 ZAIDI, SYED H. V. NORTHERN VA HOSPITAL CORP.

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until December 8, 1997, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

**CERTIORARI DENIED**

96- 9439 ELISONDO, JESSE J. V. JOHNSON, DIR., TX DCJ

97- 236 ) TUSA, ANTHONY, ET AL. V. UNITED STATES

)  
97- 5469 ) SALVATORE, SEBASTIAN V. UNITED STATES

97- 276 SOUTH DAKOTA, ET AL. V. UNITED STATES, ETC., ET AL.

97- 285 BUSTER, JACK, ET AL. V. GREISEN, RONALD, ET AL.

97- 293 CORN, HERMAN V. LAUDERDALE LAKES, FL, ET AL.

97- 444 CARGILL COM , INC. V. MINERS, ANNIE

97- 450 ) HILL, JANE V. HILLIARD, J. J. B., ET AL.

)  
97- 459 ) BRAB, WOLFGANG V. HILL, JANE

97- 479 STROH DIE CASTING CO. V. ATLANTIC STATES LEGAL FNDN.

97- 488 SCHIRM, DONALD V. UNION PACIFIC RR CO.

97- 489 COLELLI, JAMES V. SANDT, KENNETH, ET AL.

97- 491 CLUTE, RANDY V. SOUTH CAROLINA

97- 492 JOHN F. VICKERS MASONRY V. GIUSEPPE FURRER, S. P. A.

97-498 ALLEN, ANNE, ET AL. V. MONTGOMERY HOSP. , ET AL.

97-510 POWER, HARRY V. RUTGERS, ETC. , ET AL.

97-515 TSIPOURAS, CHRISTOPHER V. MESHBESHER, BIRRELL & DUNLAP

97-518 DAVIS, FRED, ET AL. V. TABACHNICK, EDITH, ET AL.

97-529 MILES, LAWRENCE P. V. SUNBELT NATIONAL BANK, ET AL

97-536 GARDNER, BRUCE V. DEPT. OF TREASURY

97-567 TX COMMERCE BANK, ET AL. V. SHURLEY, BILLY, ET UX.

97-596 RIGGS, BOBBY, ET AL. V. BURSON, TN AG, ET AL.

97-617 BOWLIN, EDWARD W. V. FLORIDA

97-619 ORTIZ, EDWIN V. ILLINOIS

97-629 TONG, SHONG-CHING V. TURNER, PAUL, ET AL.

97-633 WHITEFORD, JOHN V. PENNSYLVANIA, ET AL.

97-649 ASAM, JULIA V. HANCOCK, JUDGE, USDC ND AL

97-654 MEDINA, RAMON, ETC. , ET AL. V. DEVINE, JOHN, ET AL.

97-655 KLIMAS, ELIZABETH V. KARAGOZIAN, K. , ET AL.

97-662 HARTFORD STEAM BOILER V. I/N KOTE

97-678 HERZOG, DONALD V. UNITED STATES

97-684 PATCH, RAYFORD V. UNITED STATES

97-690 COMMERCIAL REALTY V. FCC

97-694 ROACH, DAVID D. V. UNITED STATES

97-700 DANIELS, EUGENE V. UNITED STATES

97-703 RIMELL, ALBERT V. UNITED STATES

97-708 DeLUCA, GEORGE V. UNITED STATES

97-5051 Di GIOVANNI, MICHAEL B. V. PENNSYLVANIA

97-5145 DAUGHTRY, REGINA V. DENNEHY, KATHLEEN

97-5423 WASHINGTON, DWAYNE, ET AL. V. UNITED STATES

97-5604 WEBER, CALVIN J. V. MSPB

97-5643 SARGA, MICHAEL V. UNITED STATES  
97-5644 BELL, ROBERTA R. V. UNITED STATES  
97-5655 DURHAM, JEFFERY B. V. UNITED STATES  
97-5659 McALPINE, JOHNNIE L. V. UNITED STATES, ET AL.  
97-5704 STRONG, ELMER V. UNITED STATES  
97-5962 HERNANDEZ, ROGELIO R. V. JOHNSON, DIR. , TX DCJ  
97-5975 ROLLING, DANNY H. V. FLORIDA  
97-5983 BRADFORD, RAYMOND A. V. WHITE, T. , ET AL.  
97-6005 LANE, DON W. V. NATIONAL DATA CORP. , ET AL.  
97-6010 JONES, ANTHONY V. WASHINGTON, DIR. , IL DOC  
97-6027 CALVIN, DENNY L. V. JOHNSON, DIR. , TX DCJ, ET AL.  
97-6030 MOMIENT-EL, LEE V. DeTELLA, WARDEN  
97-6031 MANALO, EDWARD A. V. GUAM  
97-6036 BRANTLEY, JEFFREY D. V. GEORGIA  
97-6044 MAHDAVI, KAMAL B. V. ONE HUN. STATE, CTY, ETC.  
97-6048 PALO, ROBERT A. V. PITCHER, WARDEN  
97-6049 BUCHANAN, FRANK L. V. ALABAMA  
97-6050 WIGGINS, KEITH E. V. PICKETT, WARDEN, ET AL.  
97-6051 THOMAS, WILLIAM G. V. FLORIDA  
97-6054 BONDS, YVONNE V. NEW YORK  
97-6056 CRUZ, SANTOS E. V. TEXAS  
97-6058 PLANCARTE, RUBIN V. ROE, WARDEN  
97-6062 LEWIS, WARREN J. V. CAIN, WARDEN  
97-6063 NUNLEY, PAUL H. V. OKLAHOMA  
97-6064 ISRAEL, AMAZIAH D. V. SINGLETARY, SEC. , FL DOC  
97-6065 VanDIVER, JERRY V. HAWLEY, WARDEN  
97-6068 SMITH, FOREST D. V. OKLAHOMA

97-6071 AWOFOLO, ALABA V. LOS ANGELES CO. SUP. CT.  
97-6072 BURACZEWSKA, HELEN V. NEW YORK CITY, ET AL.  
97-6076 CLARK, JAMES E. V. MARYLAND, ET AL.  
97-6077 CHAPMAN, JAMES V. KOZAKIEWICZ, WARDEN, ET AL.  
97-6081 HUNTER, EDWARD D. V. CALIFORNIA  
97-6092 BOWLING, RONNIE L. V. KENTUCKY  
97-6097 JYAN, JIMING J. V. FRANKOVICH, THOMAS N., ET AL.  
97-6098 MACIEL, JAMES D. V. GOMEZ, JAMES H., ET AL.  
97-6099 LOTT, KEN E. V. FLORIDA  
97-6101 JORDAN, ERICK D. V. DORSEY, WARDEN, ET AL.  
97-6109 WALKER, DAVID V. DRAGOVICH, SUPT., MAHANAY  
97-6115 CROSS, WILLIAM V. ANGELONE, DIR., VA DOC  
97-6122 BUCHANAN, RICHARD C. V. MARSHALL, WARDEN  
97-6124 KING, WAYNE V. OHIO  
97-6132 LEGROS, MARK L. V. OHIO  
97-6148 DIXIE, JAMES L. V. RENO, ATTY. GEN., ET AL.  
97-6149 SISSON, CALVIN V. HERMAN, SEC. OF LABOR  
97-6236 MARTIN, PAUL L. V. GUILLORY, WARDEN, ET AL.  
97-6291 RAMUS, GREGORY R. V. INS  
97-6300 CAMMON, THEDA V. RENO, ATTY. GEN.  
97-6341 WILLIAMS, MARLON D. V. ANGELONE, DIR., VA DOC  
97-6358 PAYNE, THOMAS E. V. UNITED STATES  
97-6370 JACKSON, RYAN V. UNITED STATES  
97-6381 POWELL, JAMES V. UNITED STATES  
97-6388 HARRIS, CALVIN V. UNITED STATES  
97-6390 DENMARK, MICHAEL G. V. UNITED STATES  
97-6395 NGUYEN, TAM D. V. UNITED STATES  
97-6408 ALLISON, KENNETH L. V. UNITED STATES

97-6409 MORENO, EDUARDO V. , ET AL. V. UNITED STATES  
97-6411 JOKINEN, HARVEY S. V. UNITED STATES  
97-6414 ARTEAGA, JOSE F. V. UNITED STATES  
97-6416 STRACENER, MONDEE V. UNITED STATES  
97-6417 SHAY, CHARLES V. UNITED STATES  
97-6423 CUEVAS, MIGUEL A. V. UNITED STATES  
97-6427 ) SantaCRUZ-NARANJO, FRANCISCO V. UNITED STATES  
          )  
97-6443 ) HERNANDEZ-GARCIA, JUAN V. UNITED STATES  
97-6437 POLK, CHARLES R. V. UNITED STATES  
97-6439 McDANIEL, DONNA S. V. UNITED STATES  
97-6440 McKINNEY, BENNIE V. UNITED STATES  
97-6441 JUVENILE NO. 1 V. UNITED STATES  
97-6444 CRUZ, GILBERTO I. V. UNITED STATES  
97-6446 BARBER, ANTHONY D. V. UNITED STATES  
97-6449 BELTRAN-BUSTAMANTE, G. V. UNITED STATES  
97-6454 FELIX, ALFONSO V. UNITED STATES  
97-6458 NEVAREZ, NELSON J. V. UNITED STATES  
97-6460 JAKOVICH, JOHN D. V. UNITED STATES  
97-6461 MACKLIN, ANTHONY V. UNITED STATES  
97-6465 SMITH, ROBERT J. V. UNITED STATES  
97-6471 MARTINEZ, RUDY V. UNITED STATES  
97-6476 DE GODINEZ, AURORA M V. UNITED STATES  
97-6482 GRAVES, JOHN W. V. UNITED STATES  
97-6483 EHMAN, JOHN E. V. UNITED STATES  
97-6487 HEARN, LEONARD J. V. UNITED STATES  
97-6497 TRISTAN, DAVID A. V. UNITED STATES

The petitions for writs of certiorari are denied.

97-462 MARYLAND V. HUGHES, MICHAEL

The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is denied.

**MANDAMUS DENIED**

97-523 IN RE JAMES N. FLEMING

97-6114 IN RE ELSA OSTERGAARD HOFMANN

The petitions for writs of mandamus are denied.

**REHEARINGS DENIED**

96-1559 OWENS, CHARLES V. UNITED STATES

96-1926 WILLIAMS, GERALDINE, ET VIR V. FRANKLIN FIRST BANK, ET AL.

96-9154 WIEDMER, ARNOLD G. V. UNITED STATES

96-9194 TAYLOR, JOSEPH E. V. HANKS, SUPT., WABASH VALLEY

96-9431 MAHAT, JOHN A. V. UNITED STATES

97-325 CHILDS, JUANITA V. PaineWEBBER INC

97-5408 SIKORA, MATTHEW J. V. HOPKINS, FRANK, ET AL.

97-5516 MULTANI, GURDEV V. NEWSWEEK, INC., ET AL.

The petitions for rehearing are denied.

96-7883 BARRETT, EDDIE V. ARTUZ, SUPT., GREEN HAVEN

The motion for leave to file a petition for rehearing is denied.

97-5296 PARHAM, KARON A. V. COCA-COLA COMPANY

The petition for rehearing is denied. Justice Breyer took no part in the consideration or decision of this petition.

**ATTORNEY DISCIPLINE**

**D-1858      IN THE MATTER OF PHILIP IRWIN AARON**

Philip Irwin Aaron, of Syosset, New York, having requested to resign as a member of the Bar of this Court, it is ordered that his name be stricken from the roll of attorneys admitted to the practice of law before this Court. The Rule to Show Cause, issued on October 14, 1997, is discharged.

**D-1872      IN THE MATTER OF DISBARMENT OF DOLLIE STAFFORD MANNS**

Dollie Stafford Manns, of Bloomington, Indiana, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring her to show cause why she should not be disbarred from the practice of law in this Court.

**D-1873      IN THE MATTER OF DISBARMENT OF JOHN E. GRZYBEK**

John E. Grzybek, of St. Paul, Minnesota, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

**D-1874      IN THE MATTER OF DISBARMENT OF DANIEL RICHARD FRUITBINE**

Daniel Richard Fruitbine, of New York, New York, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

**D-1875      IN THE MATTER OF DISBARMENT OF JOHN F. FELTON**

John F. Felton, of New York, New York, is suspended

from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.